



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, बोरवार, 22 जनवरी, 1998/2 माघ, 1919

GOVERNMENT OF HIMACHAL PRADESH
FINANCE DEPARTMENT
(PAY REVISION SECTION)

N O T I F I C A T I O N

Dated Shimla-171002, the 20th January, 1998

No. Fin-(PR)B(7)-1/98.--In exercise of the powers conferred under Article 309 of the Constitution of India and proviso to sub-rule (1) of rule 10 of the Vidhan Sabha (Recruitment and Conditions of Service) Rules, 1974, as amended from time to time, the Governor, Himachal Pradesh, is pleased to make the following rules namely:-

R U L E S

1. Short title and commencement.-- (1) These rules may be called the Himachal Pradesh Civil Services (Revised Pay) Rules, 1998.
(2) They shall be deemed to have come into force from the First day of January, 1996.
- 2 Application .- (1) Save as otherwise expressly provided by or under these rules, they shall apply to all the persons appointed to the services and posts in connection with the affairs of the State of Himachal Pradesh.

(2) They shall not apply to the :-

- (a) Members of the All India Services serving in connection with the affairs of the State of Himachal Pradesh ;
- (b) Persons not in the whole time employment of the Government of Himachal Pradesh ;
- (c) Persons paid out of contingencies ;
- (d) Employees whose scales of pay have been determined on the recommendations of the University Grants Commission (U.G.C.) ;
- (e) Work-charged employees ;
- (f) Persons employed on contract basis, except when the contract provides otherwise ; and
- (g) Persons specifically excluded wholly or in part from the operation of these Rules.

3 Definitions.- In these rules, unless there is anything repugnant in the subject or context,-

- (a) "Basic Pay" means the basic pay i.e. the amount drawn monthly by a Government employee in the existing scale of the post held by him or to which he is entitled by reasons of his position in a cadre including ex-gratia annual increment(s) and additional pay, if any, but will not include any other type of pay like "Special Pay", "Personal Pay" etc.;

NOTE:- In the case of a Government employee who is member of the Himachal Pradesh Civil Medical Service (General Wing) and Himachal Pradesh Civil Dental Service, the expression "basic pay" shall include additional increment(s) granted for House Jobs or Post- Graduate qualifications in the existing scale ;

- (b) "Existing Scale" in relation to a Government employee means the scale in respect of a post held by him or, as the case may be, personal scale allowed to him as on the First day of January, 1996, whether in a substantive or officiating capacity ;

EXPLANATION - In the case of a Government employee who was on the First day of January, 1996, on deputation out of India or on leave or on foreign service, or who would have on that date officiated in one or more lower posts but for his officiating in a higher post, "Existing Scale" includes the scale applicable to the post which he would have held but for his being on deputation out of India or on leave or on foreign service or, as the case may be, but for his officiating in a higher post ;

(c) "Existing Emoluments" means aggregate of :-

- (i) Basic pay in the existing scale as on the First day of January, 1996, or on the date of option under Rule 6 ;
 - (ii) Dearness Allowance appropriate to the basic pay admissible at the All India Consumer Price Index average of 1510 (1960=100) as on the First day of January, 1996 ;
 - (iii) Amount of first instalment of Interim Relief at the rate of rupees one hundred and fifty for those drawing basic pay of less than rupees three thousand and five hundred and rupees two hundred for those whose basic pay is rupees three thousand and five hundred and above ; and
 - (iv) Amount of second instalment of Interim Relief at the rate of ten percent of the basic pay in the existing scale as on the First day of January, 1996 ;
- (d) "Government" means the Government of Himachal Pradesh in the Department of Finance.
- (e) "Master Scale" means the scale of rupees 2520-100-3220-110-3660-120-4260-140-4400-150-5000-160-5800-200- 7000-220-8100- 275-10300-340-12000-375-13500-400- 15900-450-18600-500-23600 ;
- (f) "Revised Pay" means basic pay of a Government employee in the revised scale appropriate to the existing emoluments ;
- (g) "Revised Scale" in relation to an existing scale specified in column 2 of the Schedule means the

scale of pay specified against that scale in column 3 thereof ; and

(h) "Schedule" means a schedule annexed to these Rules.

4. Revised Scale of Pay .- As from the date of commencement of these Rules, the scale of pay specified in column 3 of the Schedule against the scale specified in column 2 thereof shall be deemed to be the revised scale.

5 Drawal of Pay in the Revised Scale.- (i) Save as otherwise expressly provided in these Rules, a Government employee shall draw pay in the revised scale ;

Provided that a Government employee may opt to continue to draw pay in the existing scale until the date on which he earns his next or any subsequent increment in the existing scale or ceases to draw his pay in that scale ;

Provided further that the right to exercise option shall not be available to a person appointed to a post on or after the First day of January, 1996, (whether for the first time in Government service, or by transfer or promotion from another post) and he shall be allowed pay only in the revised scale , without any benefit of pay fixation in the revised scale ;

(ii) The option to retain the existing scale under this rule shall be available only in respect of one existing scale.

6. Exercise of Option .- (1) The option under rule 5 to elect the existing scale or the revised scale shall be exercised in writing in the Form of Option appended to these Rules, so as to reach the authority specified in sub rule (2) within a period of six months from the date of issue of these rules or where an existing scale has been further revised by any subsequent order then another option may be exercised within six months of the date of such order, except that for employees posted in tribal and notified backward/hard areas, the period for exercising option shall be one year :

Provided that -

(i) in the case of Government employee who is, on the date of issue of these orders or such subsequent orders, as the case may be, out of India or on leave or on deputation

or on foreign service, the option shall be exercised, in writing, so as to reach the authority specified in sub rule (2) within a period of six months (one year for those posted in tribal or notified backward/hard areas) from the date of his taking charge of his post under the State Government ; and

(ii) Where a Government employee is under suspension on that date, the option shall be exercised within a period of six months of the date of his return to his duty if that date is later than the date specified in this sub-rule.

(2) An option exercised under sub-rule (1) shall be final and shall be intimated by the Government employee to the Head of Office.

(3) If the intimation regarding option is not received within the time mentioned in sub-rule (1), it shall be deemed that the Government employee has opted for the revised scale on and with effect from the First day of January, 1996.

(4) Failure to opt for a most beneficial date by an employee will not give him a right under these rules for stepping up of his pay in the revised scale over the pay of another employee who may have opted for such a date even if the former was drawing pay equal to or more than the latter in the same existing scale.

NOTE 1. Persons, whose services were terminated on or after the First day of January, 1996, but before the issue of these rules and who could not exercise the option within the prescribed time limit, on account of death discharge on the expiry of sanctioned post, resignation dismissal or discharge on disciplinary grounds, are entitled to the benefits of this rule.

NOTE 2 Persons, who have died on or after the First day of January, 1996 and have not exercised option within the prescribed time limit, shall be deemed to have opted for the revised scale on and from the First day of January, 1996, or such later date under these rules as is most beneficial in their case.

7 Fixation of Pay in the Revised Scale .- The pay of a Government employee who opts or is deemed to have opted for the revised scale in terms of the provisions of these rules shall, unless in any case the Government by special

order otherwise directs, be fixed in the following manner, namely :-

- (i) an amount representing forty percent of the basic pay in the existing scale shall be added to the "Existing Emoluments" of the employee ; and
- (ii) after the existing emoluments have been so increased, the pay shall thereafter be fixed in the revised scale at the stage next above the amount of the existing emoluments so computed, if it falls between two stages and if the amount so computed is equal to a stage in the revised scale, then the pay shall be fixed at such equal stage ;

Provided that :-

- (a) if the minimum of the revised scale is more than the amount so arrived at, the pay shall be fixed at the minimum of the revised scale ;
- (b) if the amount so arrived at is higher than the maximum of the revised scale, the amount in excess of the maximum of the revised scale shall be treated as personal pay which shall be absorbed in future increments and shall be reckoned as pay for all purposes;

Provided further that where in the fixation of pay, the pay of Government employees drawing pay at more than three consecutive stages in an existing scale gets bunched, that is to say, gets fixed in the revised scale at the same stage, the pay in the revised scale of such of those Government employees who are drawing pay beyond the first three consecutive stages in the existing scale shall be stepped up by the grant of increment(s) in the revised scale in the following manner, namely :-

- (a) for the Government employees drawing pay from the fourth upto the sixth stage in the existing scale - by one increment ;
- (b) for the Government employees drawing pay from the seventh upto the ninth stage in the existing scale, if there is bunching beyond the sixth stage - by two increments ;
- (c) for the Government employees drawing pay from the tenth upto the twelfth stage in the existing scale if

there is bunching beyond the ninth stage- by three increments ;

- (d) for the Government employees drawing pay from the thirteenth upto the fifteenth stage in the existing scale, if there is bunching beyond the twelfth stage- by four increments :

if by stepping up the pay as above, the pay of a Government employee gets fixed up at a stage in the revised scale which is higher than the stage at which the pay of a Government employee who was drawing more pay in the same existing scale is fixed, the pay of the latter shall also be stepped up to the level at par with the former ;

Provided further that the fixation thus made shall ensure that every Government employee shall get at least one increment in the revised scale for every three increments (inclusive of ex-gratia increment (s), if any) in the existing scale ;

NOTE :- See Illustrations 1 to 7 appended to these rules for guidance.

Provided further that in the case of a Government employee, who is in receipt of Special Pay or Special Allowance attached to a post in addition to pay in the existing scale which has been revised without Special Pay or Special Allowance, as the case may be, such a Government employee shall draw Special Pay or Special Allowance at the existing rate of amount as a measure personal to him so long as he holds that post ;

Provided further that in the case of a Government employee, who is in receipt of Special Pay, Special Allowance or Non-Practising Allowance (N.P.A.) in addition to pay in the existing scale which has been revised with Special Pay, Special Allowance or Non-Practising Allowance (by whatever name it may be called) at the same rate or at different rate, such a Government employee shall draw Special Pay, Special Allowance or Non-Practising Allowance at the rate allowed with the revised scale.

NOTE 1 Where the increment of a Government employee falls on the First day of January, 1996, he shall have option to draw the increment in the existing scale or the revised scale.

NOTE 2 Where a Government employee is on leave on the First day of January, 1996, he shall become entitled to pay in the revised scale from the date he joins duty. In case of Government employee under suspension, he shall continue to draw subsistence allowance based on existing scale and his pay in the revised scale will be subject to final order on the pending disciplinary proceedings.

8. Date of Next Increment:-(1) The next increment of a Government employee, whose pay has been fixed in the revised scale in accordance with rule 7, shall be granted on the date he would have drawn his increment, had he continued in the existing scale;

Provided that in a case where the pay of a Government employee is stepped up in terms of the provisions of second proviso to rule 7, the next increment shall be granted on the completion of qualifying service of twelve months from the date of stepping up of the pay in the revised scale ;

Provided further that in cases other than those covered by the preceding proviso, the next increment of a Government employee whose pay is fixed on the First day of January, 1996 at the same stage as the one fixed for another Government employee junior to him in the same cadre and drawing pay at a lower stage than his in the existing scale, shall be granted on the same date as admissible to his junior, if the date of increment of the junior happens to be earlier.

(2) Where a Government employee is held up at the maximum after completing the time scale, senior scale or selection grade as the case may be, on or after the First day of January, 1996, he shall be allowed ex-gratia annual increment(s), unless it is withheld, at the same rates as are given in the Master Scale after the stage at which he was held up, subject to the condition that in no case the basic pay of the Government employee shall exceed twenty three thousand and six hundred rupees.

9. Mode of Payment of Arrears of Pay .- (1) Notwithstanding anything contained in these rules, fifty percent of the arrears of pay to which Government employees may be entitled on account of revision of pay under these rules, would be paid to the employees with their salaries for the month of

January, 1998, and the remaining fifty percent of the arrears would be paid to them with their salaries in April 1998 and in each case, half of the due payment on account of such arrears would be paid in cash and the other half shall be credited to the General Provident Fund Accounts of the employees on each occasion and it shall be treated as their additional contribution to their General Provident Fund Accounts and interest shall accrue on the contribution so made with effect from the First day of January, 1998 and First day of April, 1998, respectively ;

Provided that in the case of a Government employee who has not yet been allotted Account number in the General Provident Fund, the aforesaid payment of arrears shall be invested in the National Saving Certificates or the National Saving Scheme or Kisan Vikas Patras or Indira Vikas Patras ;

Provided further that in the case of a Government employee who has retired from Government service on or after the First day of January, 1996, but before the date of issue of these rules or who is to retire from Government service by the 30th June, 1998, the arrears of pay for the whole aforesaid period shall be paid in cash.

EXPLANATION : For the purpose of this Rule, " Arrears of Pay" in relation to a Government employee means the difference between -

- (i) the aggregate of the pay and allowances to which he is entitled on account of the revision of his pay and allowances under these rules, for the relevant period specified in this rule ; and
- (ii) the aggregate of the pay and allowances to which he would have been entitled (whether such pay and allowances had been received or not) for that period had his pay and allowances not been so revised.

10. Over-riding Effect :- The provisions of the Fundamental Rules and instructions issued thereunder shall not apply to the extent that they are inconsistent with the provisions of these rules.

11. Powers to Relax :- Where the Government is satisfied that the operation of these Rules causes undue hardship to any individual Government employee or class of Government

employees, it may, by order in writing, relax or dispense with any of the provisions of these rules to such extent and subject to such conditions as it may consider necessary.

12. Interpretation :- If any question arises relating to the interpretation of any of the provisions of these rules, the Government shall decide the same and its interpretation shall be final.

By Order

Kr. Shamsheer Singh
F.C.-cum-Secretary (Finance) to the
Government of Himachal Pradesh.

FORM OF OPTION

See rule 6(1)

*(1) I _____ hereby opt for the revised scale with effect from _____ (date to be indicated).

*(2) I _____ hereby opt to continue in the existing scale of my post mentioned below until _____ (date to be indicated).

(a) Designation of Post _____

(b) Existing Scale _____

*(3) I _____ hereby opt to retain the existing scale of my post mentioned below :-

(a) Designation of Post _____

(b) Existing Scale _____

Signature _____

Name _____

Date : Designation _____

Employee Code No. (if any) _____

Place: Department/Office in _____
which employed. _____

*To be scored out if not applicable.

S C H E D U L E
(See Rule 3(g) and 4)

<u>Sl.No</u>	<u>Existing Pay Scale</u>	<u>Revised Pay Scale</u>
1.	2.	3.
1.	770-1410	2520-4140 (with a minimum start of Rs. 2620)
2.	800-1455	2720-4260
3.	830-1500	2820-4400
4.	950-1800	3120-5160
5.	950-2130	3120-6200
6.	1020-1800) 1020-2130)	3330-6200
7.	1200-2130	4020-6200
8.	1365-2410	4400-7000
9.	1410-2480	4550-7220
10.	1500-2700	5000-8100
11.	1650-2925	5480-8925
12.	1800-3200	5800-9200
13.	2000-3500	6400-10640
14.	2130-3700	7000-10980
15.	2200-3700	7220-10980
16.	2410-3700) 2200-3900)	7220-11320
17.	2200-4000	7220-11660
18.	2410-4000	7880-11660
19.	2850-4375	9200-13900

20.	3000-4375	9750-14700
21.	3000-4500) 3000-5000)	10025-15100
22.	3700-5000	12000-15500
23.	3000-5300) 3700-5300)	12000-16350
24.	4000-5300	13125-16350
25.	4125-5600	13500-16800
26.	4500-6100	14300-18600
27.	4500-6700	14300-20100
28.	5000-6700	16350-20100
29.	5900-6700	18600-22100

(R.S. Verma)

Deputy Secretary (Finance-R) to the
Government of Himachal Pradesh.

ILLUSTRATION NO.1

(See Note below Third Proviso to Rule-7)

Existing Scale of Pay	:	750(with initial start 770)-30-950-35-1160-40-1320-45- 1410.
Revised Scale of Pay	:	2520(with initial start of Rs. 2620)100-3220-110-3660-120-4140
Existing Pay	:	800
D.A.as on 1.1.96 (at index level 1510):	:	1184
First Instalment of Interim Relief	:	150
Second Instalment of Interim Relief	:	
@ 10% of Basic Pay	:	80
Existing emoluments	:	2214
Add 40% of basic pay	:	320

Total		2534

Stage next above in the revised scale including benefit of bunching, if admissible	:	2620
If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale	:	NIL
Pay to be fixed in the revised scale (stage of pay at Sr. No.9 or 10 whichever is higher).	:	2620

ILLUSTRATION NO. 2

(See Note below Third Proviso to Rule-7)

Existing Scale of Pay	:	770-30-950-35-1160--40-1320-45-1410
Revised Scale of Pay	:	2520-100-3220-110-3660-120-4140 (with an initial start of Rs. 2620)
Existing Pay	:	860
D.A.as on 1.1.96(at index level 1510)	:	1273
First Instalment of Interim Relief	:	150
Second Instalment of Interim Relief	:	
@ 10% of Basic Pay	:	86
Existing emoluments	:	2369
Add 40% of basic pay	:	344

Total		2713

Stage next above in the revised scale including benefit of bunching, if admissible.	:	2720
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0. If one increment is ensured in the revised scale for every three incre-

ments in the existing scale, the stage of pay in the revised scale. : 2720
 Pay to be fixed in the revised scale (stage of pay at Sr. No.9 or 10 whichever is higher). : 2720

ILLUSTRATION NO. 3

(See Note below Third Proviso to Rule-7)

Existing Scale of Pay	:	950-35-1160-40-1320-45-1500-50-18 (with an initial start of Rs. 10
Revised Scale of Pay	:	3120-100-3220-110-3660-120-4260-140- -150-5000-160-5160
Existing Pay	:	1470 (1455+ 15 Additional Pay).
D.A.as on 1.1.96 (at index level 1510):	:	2176
First Instalment of Interim Relief	:	150
Second Instalment of Interim Relief @ 10% of Basic Pay	:	147
Existing emoluments	:	3943
Add 40% of basic pay	:	588

Total	:	4531

Stage next above in the revised scale including benefit of bunching, if admissible. : 4550

If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale. : 3550

Pay to be fixed in the revised scale (stage of pay at Sr. No.9 or 10 whichever is higher). : 4550

ILLUSTRATION NO. 4

(See Note below Third Proviso to Rule-7)

Existing Scale of Pay	:	1020-35-1160-40-1320-45-1500-50-20 60-2060-70-2130.
Revised Scale of Pay	:	3330-110-3660-120-4260-140-4400-150 5000-160-5800-200-6200
Existing Pay	:	1280.
D.A.as on 1.1.96 (at index level 1510)	:	1894
First Instalment of Interim Relief	:	150
Second Instalment of Interim Relief @ 10% of Basic Pay	:	128
Existing emoluments	:	3452
Add 40% of basic pay	:	512

Total	:	3964

Stage next above in the revised scale including benefit of bunching, if admissible. : 4020

If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale : 3550

Pay to be fixed in the revised scale (stage of pay at Sr. No.9 or 10 whichever is higher). : 4020

ILLUSTRATION No.5

(See Note below Third Proviso to Rule-7)

Existing Scale of Pay	:	1800-50-2000-60-2060-70-2550-75-3000-100-3200
Revised Scale of Pay	:	5800-200-7000-220-8100-275-9200
Existing Pay	:	2130
D.A.as on 1.1.96 (at index level 1510):	:	3152
First Instalment of Interim Relief	:	150
Second Instalment of Interim Relief	:	
@ 10% of Basic Pay	:	213
Existing emoluments	:	5645
Add 40% of basic pay	:	852

Total	:	6497

Stage next above in the revised scale including benefit of bunching, if admissible : 6600

If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale. : 6200

Pay to be fixed in the revised scale (stage of pay at Sr. No.9 or 10 whichever is higher). : 6600

ILLUSTRATION No.6

(See Note below Third Proviso to Rule-7)

Existing Scale of Pay	:	3000-100-4000-125-4500
Revised Scale of Pay	:	10025-275-10300-340-12000-375-13500-400-15100
Existing Pay	:	3200
D.A.as on 1.1.96 (at index level 1510):	:	4736
First Instalment of Interim Relief	:	150
Second Instalment of Interim Relief	:	
@ 10% of Basic Pay	:	320
Existing emoluments	:	8406
Add 40% of basic pay	:	1280

Total	:	9686

9. Stage next above in the revised scale including benefit of bunching, if admissible : 10025
10. If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale : 10025
11. Pay to be fixed in the revised scale (stage of pay at Sr. No.9 or 10 whichever is higher). : 10025

ILLUSTRATION No.7

(See Note below Third Proviso to Rule-7)

1. Existing Scale of Pay : 3000-100-4000-125-4500
2. Revised Scale of Pay : 10025-275-10300-340-12000-375-135400-15100
3. Existing Pay : 3300
4. D.A.as on 1.1.96 (at index level 1510) : 4884
5. First Instalment of Interim Relief : 150
6. Second Instalment of Interim Relief @ 10% of Basic Pay : 330
7. Existing emoluments : 8664
8. Add 40% of basic pay : 1320
- Total : 9984
9. Stage next above in the revised scale including benefit of bunching, if admissible : 10300
10. If one increment is ensured in the revised scale for every three increments in the existing scale, the stage of pay in the revised scale : 10300

11. Pay to be fixed in the revised scale(stage of pay at Sr. No.9 or 10 whichever is higher). : 10300
12. Date of next increment : After completion of qualifying service of twelve months from the date of the stepping up of the pay in the revised scale(as per first proviso to Rule 8(1).